IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

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MONDAY, THE SIXTH DAY OF MARCH

TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE V.ESWARAIAH

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WP.No.4182 OF 2006

Between:

Pulla Krishnaiah … Petitioner

Versus

The Mandal Revenue Officer,

Kavali Mandal,

Nellore District & Anr. … Respondents

Counsel for the Petitioner: Sri M.Venkata Narayana

Counsel for the Respondents: Govt. Pleader for Revenue

O R D E R :

The case of the petitioner is that he was assigned patta land to an extent of Ac:0-54 cents in survey no.1174-5, Ac:0-30 cents of land in survey no.1174-4, Ac: 0-25 cents in survey no.1174-5, Ac: 0-35 cents in survey no.1174-6 respectively situated at Kotha Sathram, hamlet of Thummalapenta, Kavali Mandal, Nellore district by the then Tahsildar, Kavali in the year 1981and since then he is in possession and enjoyment of the said extents of land. There are certain disputes with regard to the boundaries.

It is stated that in so far as the land in respect of the petitioner is concerned, the Government also issued pattedar passbook in his favour.

It is stated that when certain villagers tried to interfere with his peaceful possession and enjoyment over the said lands, the petitioner filed O.S.No.279 of 2002 against them on the file of the Court of Principal Junior Civil Judge, Kavali, seeking permanent injunction and the said suit was decreed on 05-9-2004.

It is stated that the neighbouring ryots converted their land into prawn culture

ponds and they are raising prawn culture and also claimed that the said land belongs to them and they have right in the said lands. Therefore, the petitioner made a number of representations since 2003 before the Mandal Revenue Officer, Kavali, for the purpose of surveying the said lands and also paid challan on 23-6-2003 for the purpose of survey of the said lands and fixation of boundaries, but no action has been contemplated.

It is stated that the petitioner filed another representation on 19-12-2005 before the Mandal Revenue Officer, Kavali but no action has been taken till date.

Having regard to the facts and circumstances, without expressing any opinion on the merits of the writ petition, I consider it appropriate to direct the first respondent to consider and dispose of the representations of the petitioner, if they are pending and if not already disposed of within ten weeks from the date of receipt of a copy of this order, after affording reasonable opportunity of hearing the petitioner as well as the neighbouring owners of the land in question and thereafter pass appropriate order on merits and in accordance with law, within four weeks thereafter.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

MARCH 06th, 2006. ----------

Is L. V. ESWARAIAH , J.